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Tarrant County Texas

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**D209255539**

3 Pages



Suzanne Henderson

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS' LICENSE NUMBER**

**AMENDMENT OF DESCRIPTION AND RATIFICATION  
OF OIL, GAS LEASE  
NO SURFACE USE PERMITTED BY THE LESSEE**

**STATE OF TEXAS            }**

**COUNTY OF TARRANT    }**

**WHEREAS, Hipolito Garcia**, as Lessor heretofore executed an Oil, Gas Lease, No Surface Use Permitted by the Lessee, dated February 16, 2007, to **Fort Worth Energy Co., LLC**, as Lessee, and recorded on February 21, 2007, at Clerks Document No. D207061274, Official Public Records of Tarrant County, Texas covering the following described lands, located in Tarrant County, Texas, to wit:

See Exhibit "A" attached hereto and made a part hereof for a complete description.

**AND WHEREAS**, said description is incomplete and indefinite as to legal description, and the lands intended to be covered are more accurately described as follows:

South ½ of Lot 4 and all of Lots 5 and 6, Block 5, of Worth Heights, an Addition to the City of Fort Worth, Tarrant County, Texas, according to the Plat thereof recorded in Volume 204A, Page 150, of the Plat Records of Tarrant County, Texas, being more particularly described in that certain General Warranty Deed with Vendor's Lien in Favor of Third Party, dated December 13, 1999, from Johnny G. Rodriguez, Jr., Horalia Rodriguez and Gloria Ann Garcia, Gilbert Rodriguez and Mary Helen De La Flor and Ralph G. Rodriguez to Hipolito Garcia, a married person, filed at Clerks Document No. D199308385, of the Official Public Records of Tarrant County, Texas.

**AND THEREFORE**, in consideration of the premises leased herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Hipolito Garcia, a/k/a Hipolito Perez Garcia does hereby declare that it was and is my intention to lease for oil and gas purposes the identical tract of land last above described; and I hereby amend said lease in respect to the description of the lands included therein, as aforesaid, and ratify and adopt the same as so amended.

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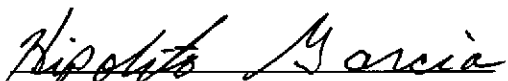
**AND WHEREAS**, the lease and all rights and privileges thereunder are now owned and held by **XTO Energy Inc.**, a Delaware Corporation.

**AND WHEREAS**, the acknowledgment portion of said lease is incorrect and it is the intent of this instrument to correct said acknowledgment.

**EXCEPT** as otherwise amended the above described lease is and shall remain in full force and effect as written in accordance with its terms and conditions, and the undersigned Lessors recognizes said lease as a valid and sustaining Oil and Gas Lease.

**AND**, for the same consideration recited above, I or we, the undersigned, jointly and severally, do hereby adopt, ratify and confirm The Lease, and all of its provisions, except as herein modified and amended, and do hereby grant, lease, and let to the Lessee therein or its successors and assigns, any and all interest which I, or we, now have, or may hereafter acquire, either by conveyance, devise, inheritance or operation of laws, and whether vested, expectant, contingent or future, in and to the lands described therein, in accordance with each and all of the provisions contained in The Lease and all of its provisions, as amended, are binding on the undersigned and is valid and subsisting Oil and Gas lease and this agreement shall extend to and be binding upon the heirs, executors, administrators, successors, and assigns of each of the undersigned.

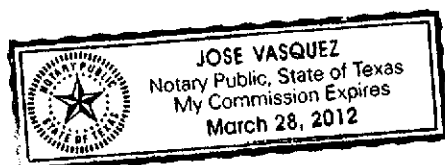
**IN WITNESS WHEREOF**, this instrument is executed on this the respective date of the Acknowledgment below, but shall be effective, however, as of September 14, 2006.

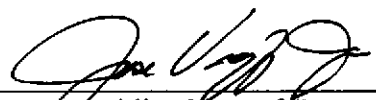
  
Hipolito Garcia, a/k/a  
Hipolito Perez Garcia, a married person

**ACKNOWLEDGMENT**

**STATE OF TEXAS        }**  
**COUNTY OF TARRANT    }**

This instrument was acknowledged before me on the 22 day of September, 2009 by Hipolito Garcia, a/k/a Hipolito Perez Garcia, a married person.



  
Notary Public, State of Texas

Return to: Bryson G. Kuba  
6127 Green Jacket Dr.  
Apt. # 1136  
Fort Worth, TX 76137

EXHIBIT "A"

EXHIBIT TO OIL AND GAS LEASE TO FORT WORTH ENERGY CO.,  
LLC DATED FEBRUARY 16, 2007

Descriptions:

I. Addition Name: WORTH HEIGHT Plat Recorded: 204A PG 149

Lessor's Deed Recorded: 14140 PG 545

Block: 5

Lot(s): 546

The Described premises also known as 3519 SOUTH MAIN STREET  
Property Address

II. Addition Name: \_\_\_\_\_ Plat Recorded: Vol. \_\_\_\_\_ Pg. \_\_\_\_\_

Lessor's Deed Recorded: \_\_\_\_\_

Block: \_\_\_\_\_

Lot(s): \_\_\_\_\_

The Described premises also known as \_\_\_\_\_  
Property Address

III. Addition Name \_\_\_\_\_ Plat Recorded: Vol. \_\_\_\_\_ Pg. \_\_\_\_\_

Lessor's Deed Recorded: \_\_\_\_\_

Block: \_\_\_\_\_

Lot(s): \_\_\_\_\_

The Described premises also known as \_\_\_\_\_  
Property Address

IV. Addition Name \_\_\_\_\_ Plat Recorded: Vol. \_\_\_\_\_ Pg. \_\_\_\_\_

Lessor's Deed Recorded: \_\_\_\_\_

Block: \_\_\_\_\_

Lot(s): \_\_\_\_\_

The Described premises also known as \_\_\_\_\_  
Property Address

V. Addition Name: \_\_\_\_\_ Plat Recorded: Vol. \_\_\_\_\_ Pg. \_\_\_\_\_

Lessor's Deed Recorded: \_\_\_\_\_

Block: \_\_\_\_\_

Lot(s): \_\_\_\_\_

The Described premises also known as \_\_\_\_\_  
Property Address